IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS. JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION No: 19992 of 1999

Between:

P.L.Yasodamma, W/o. P.L. Naidu, Retired Employee,
R/o.L.I.G.No.107, Situated at S.D. Layout, Opp. to Anantha Street, Tirupati,
Chittoor District.

..... PETITIONER

AND

1 The State of Andhra Pradesh, represented by its Chief Secretary to Government, Secretariat, Hyderabad-500 022.
2 The Executive Engineer, (Roads & Buildings),
Tirupati, Chittoor District.
3 The Superintending Engineer, (Road & Buildings),
Cuddapah, Cuddapah District.
4 The Superintendent/Additional D.M.E., S.V.R.R.G.G. Hospital,
Tirupati, Chittoor District.
5 The District Collector, Chittoor,
Chittoor District.
6 The Hon'ble A.P. Administrative Tribunal, Purana Haveli,
Hyderabad, represented by its Registrar.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an order or direction more particularly one in the nature of Writ of Mandamus, declaring the high handed action of the respondents 2 to 4 in threatening the

petitioner to evict the Government Quarter No. L.I.G. 107 situated at S.D. Lay out, Opp. Anantha Street, Tirupati, without notice or without providing any opportunity and even without considering the representations made by the petitioner in this regard, as totally illegal, arbitrary, unjust, discriminatory, and unconstitutional, being violative of Arts. 14 and 21 of the Constitution of India, and also violative of principles of natural justice, and consequently direct the respondents 1 to 5 to consider the case of the petitioner for allotment of the said government Quarter keeping in view of the National Policy of the Government under the caption of National Policy on Older Persons, if necessary by duly declaring that the OA.No. 3571/1996 filed by the petitioner before the 6th respondent-Tribunal and the order of dismissal for default passed by the 6th respondent -Tribunal as void abinitio, null and void and nonest in the eye of Law.

Counsel for the Petitioner : MR.D.RAMESH

Counsel for the Respondents: GP FOR SERVICES I

The Court made the following ORDER:(per TMK,J)

This writ petition is filed by the petitioner to direct respondent Nos. 1 to 5 not to evict her from the Government Quarter No. L.I.G. 107 situated at S.D. Layout, opposite to Anantha Street, Tirupati till the case of the petitioner for allotment of the said government quarter is considered and disposed of on merits.

It is submitted by the learned counsel for the petitioner that the petitioner is an old

lady and that she was not paid her pensionary benefits and in view of the same, it has become very difficult for her to maintain herself. It is submitted by the learned counsel that though the petitioner made representations dated 7-9-1995 and 17-12-1995 to the Collector and also to the authorities concerned for considering her case to continue her in the said quarters, the same remained unanswered till today.

Having regard to the facts and circumstances of the case, and in view of the fact that the petitioner is said to have made representations in the year 1995, due to long lapse of time, it would be appropriate to dispose of the writ petition directing the petitioner to make fresh representations to the Collector and to the authorities concerned requesting her retention in the quarter, and if any such representation is made, the Collector or the authority concerned, is directed to dispose of the same without being influenced by the observations made by the Tribunal in its order.

With the above direction, the writ petition is disposed of. No costs.

(T.MEENA KUMARI, J)

(S.ANANDA REDDY, J)

24.01.2005

lvl/bsv

To,

1. The Chief Secretary to Government, State of Andhra Pradesh, Secretariat, Hyderabad-500 022.
2 The Executive Engineer, (Roads & Buildings), Tirupati, Chittoor District.
3 The Superintending Engineer, (Road & Buildings), Cuddapah, Cuddapah District.
4 The Superintendent/Additional D.M.E., S.V.R.R.G.G. Hospital, Tirupati, Chittoor District.
5 The District Collector, Chittoor, Chittoor District.
6 The Registrar, A.P. Administrative Tribunal, Purana Haveli, Hyderabad.

7. Two CCs to the Government Pleader for Services I, High Court of A.P., Hyderabad. (OUT)

8. Two CD copies.